

REMARKS

Twelve claims are pending in this application, with claims 1 and 10 being independent. Since two of the original claims were labeled as claim 2, causing the original claims to be incorrectly numbered 1 through 8, the second instance of the claim labeled as claim 2 has been renumbered as claim 3 and the sequentially following claims have been renumbered as claims 4-9. Renumbered claims 1-9 have been amended and claims 10-12 have been newly added. No new matter has been added by way of these amendments. Favorable reconsideration and reexamination of the action mailed on August 20, 2007 is respectfully requested in view of the forgoing amendments and the following comments of the Applicants, which are proceeded by related comments of the Examiner in small bold type:

Specification

Claims 2-8 are objected to because of the following informalities: There are multiple claim 2's and the dependency of claims needs to be corrected. Appropriate correction is required.

As mentioned above, the nine claims have been renumbered.

Claim Rejections - 35 USC § 101

Claims 1-9 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed invention is directed to a judicial exception to 35 U.S.C. 101 (i.e., an abstract idea, natural phenomenon, or law of nature) and is not directed to a practical application of such judicial exception (e.g., because the claim does not require any physical transformation and the invention as claimed does not produce a useful, concrete, and tangible result). In this instance, the claims disclose a system for positively identifying a client machine to a backend without disclosing the tangible result of processes.

Applicant has amended independent claim 1 to call for: "a method for storing data to positively identify a client machine running a client application to a backend". As amended, claim 1 recites a method for storing data, the tangible result of which is disclosed in claim 1 as: "storing a first scrambled version of the ClientID at a first predetermined location on the client machine", and "storing a second scrambled version different from the first version of the ClientID at a second predetermined location on the client machine".

Accordingly, applicant submits that amended independent claim 1 and claims 2-9 provide a tangible result and are directed to statutory subject matter.

Claim Rejections - 35 USC § 103

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Childs et al. U.S. Pat. No. 7234157 (hereinafter Childs) in view of Ellison et al. U . S. Pat . No. 7082615 (hereinafter Ellison).

Amended independent claim 1 describes a method that includes, upon connection by a client application to a backend, generating a unique ClientID containing a checksum at the backend for the client machine. The method also includes sending the ClientID to the client application. Further, the method includes reversibly scrambling the ClientID with the client application at the client machine and storing a first scrambled version of the ClientID at a first predetermined location on the client machine. The method also includes reversibly scrambling the ClientID with the client application at the client machine and storing a second scrambled version different from the first version of the ClientID at a second predetermined location on the client machine.

Childs is not understood to disclose or suggest features of amended independent claim 1. In particular, Childs is not understood to disclose or suggest, upon connection by a client application to a backend, generating a unique ClientID containing a checksum at the backend for the client machine, and sending the ClientID to the client application.

In contrast, Childs describes using an authentication server (referred to as a Light-weight Directory Access Protocol (LDAP) server) to allow a user computer to access one or more secure resources. In particular, upon receiving a user authentication request from the user computer, the authentication server attempts to authenticate the user, and if authenticated, an authenticated credential is to sent from the authentication server to the user computer. Upon successful authentication or by using the authenticated credential (when the authentication server is not available), the user computer is granted access to the secure resources. In this regard, Childs reads:

A user attempting to access a secure resource might be asked to enter some identifying information, such as a user id and/or a password. (Childs, col. 1, lines 10-22.)

Assuming the authentication server recognizes the identifying information as associated with an authorized user, an authenticated credential would be returned to the user's system, with which the user would be allowed to access the requested resource. (Id., col. 1, lines 25-30.)

In order to access resources 30 which require user authentication, the client 10 must contact the LDAP server 60 and receive an authenticated credential. (Id., col. 1, 64-66.)

Thus, to gain access to the secure resources, the user computer must contact and be authenticated by the authentication server, which is separate and independent from the secure resources. To the contrary, amended independent claim 1 features generating a unique ClientID containing a checksum at a backend for a client machine upon connection by a client application to the backend. As such, an intermediate server such as Childs' authentication server is not needed for generating a unique ClientID.

Ellison is not understood to remedy the forgoing deficiencies of Childs. Rather, Ellison is understood to describe a method and apparatus for protecting a subset of a software environments by using a key. In this regard, Ellison reads:

The present invention is a method and apparatus to protect a subset of a software environment. A key generator generates an operating system nub key (OSNK). The OSNK is unique to an operating system (OS) nub. The OS nub is part of an operating system in a secure platform. A usage protector uses the OSNK to protect usage of a subset of the software environment. (Ellison, Abstract.)

Accordingly, Applicant asserts that Ellison fails at least to disclose or suggest generating a unique ClientID containing a checksum at a backend for a client machine upon connection by the client application to the backend, as required by amended independent claim 1.

As such, independent claim 1 is believed to be allowable over Childs in view of Ellison. Newly added independent claim 10 includes subject matter similar to independent claim 1 and is also believed to be allowable over Childs and Ellison, individually and in combination.

The dependent claims 2-9, 11 and 12 are allowable at least for the reasons advanced with respect to independent claims 1 and 10. Although it is believed that the dependent claims define

patentably distinct features, given the distinctiveness of the respective independent claims, the dependent claims are not discussed here in detail.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

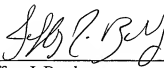
In view of the foregoing remarks, the entire application is now believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' attorney can be reached at the address shown below. Telephone calls regarding this application should be directed to 617-521-7896.

\$525 for the required Petition for Extension of Time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account Authorization. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 13984-006US1.

Respectfully submitted,

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